

## RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, the City Council, on October 22, 1984, adopted Resolution No. A-69719  
2 finding an area generally bounded by R Street, 17th Street, H Street, and 7th Street, to be blighted  
3 and, on October 19, 1987, adopted Resolution No. A-71701 finding said area to be blighted and  
4 substandard as defined in the Nebraska Community Development Law (Neb. Rev. Stat. §18-  
5 2101, et seq. as amended) and in need of redevelopment; and

6 WHEREAS, the City Council has previously adopted the Lincoln Center Redevelopment  
7 Plan (Plan) including plans for various redevelopment projects within said area in accordance  
8 with the requirements and procedures of the Nebraska Community Development Law; including  
9 specifically by amendment to the Plan by Resolution No. A-80587 (December 11, 2000)  
10 providing for the sale, redevelopment and rehabilitation of a Downtown Entertainment Center on  
11 Block  
12 41 (Amendment); and

13 WHEREAS, on November 3, 2000 notice of public hearing was mailed, postage prepaid,  
14 to the president or chairperson of the governing body of each county, school district, community  
15 college, educational service unit, and natural resource district in which the real property subject  
16 to such plan is located and whose property tax receipts would be directly affected and to all  
17 registered neighborhood associations located in whole or in part within one mile radius of the  
18 area to be redeveloped setting forth the time, date, place, and purpose, of the public hearing to be  
19 held on November 15, 2000 before the Lincoln City - Lancaster County Planning Commission  
20 regarding the Amendment; and

1           WHEREAS, said Amendment was submitted to the Lincoln City - Lancaster County  
2     Planning Commission for review and recommendation, and said Planning Commission on  
3     November 15, 2000 found said request to be in conformance with the Comprehensive Plan and  
4     recommended approval thereof; and

5           WHEREAS, on December 1, 2000 a notice of public hearing was mailed, postage  
6     prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth  
7     the time, date, place, and purpose of the public hearing before the City Council held on  
8     December 11, 2000 regarding the Amendment; and

9           WHEREAS, on November 24, 2000 and December 1, 2000, a notice of public hearing  
10    was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and  
11    purpose of the public hearing held on December 11, 2000 regarding the Amendment; and

12          WHEREAS, on December 11, 2000 in the City Council Chambers of the County City  
13    Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing  
14    relating to the proposed Amendments and all interested parties were afforded at such public  
15    hearing a reasonable opportunity to express their views respecting said proposed Amendments;  
16    and

17          WHEREAS, the City Council after the hearing on December 11, 2000 duly considered all  
18    statements made and materials submitted relating to said Amendment and specifically found  
19    among other things that the costs and benefits of the Redevelopment Projects, including costs  
20    and benefits to other affected political subdivisions, the economy of the community, and the  
21    demand for public and private services were in the long-term best interest of the community  
22    impacted by the redevelopment projects considering: (a) the tax shifts from the use of  
23    Community Improvement Financing as authorized in § 18-2147; (b) the community's public

1 service needs impacts and local tax impacts arising from the approval of the project; (c) impacts  
2 on employers and employees of firms locating or expanding within the boundaries of the project  
3 area; (d) impacts on other employers and employees in the City and immediate area outside the  
4 project area; and (e) other impacts the City Council hereby determines to be relevant to the  
5 consideration of costs and benefits arising from the redevelopment project; and

6 WHEREAS, The City Council directed that the Urban Development Director or his  
7 authorized representative to take all steps necessary to implement the provisions of said  
8 Amendment; and

9 WHEREAS, the City as a Community Development Authority under the Community  
10 Development Law has the authority to acquire, by the exercise of the power of eminent domain,  
11 if necessary, any real property which it may deem necessary for a redevelopment project; and

12 WHEREAS, the City advertised for and requested redevelopment proposals for the  
13 Redevelopment of the Downtown Entertainment Center; and

14 WHEREAS, in February of 2003 the City received and reviewed, using a selection  
15 committee process, the response to the requests selecting Center Associates, LLC (Center) as the  
16 redeveloper of record according to the Community Development Law on February 26, 2003; and

17 WHEREAS, Center and the City have negotiated and are desirous of entering into the  
18 attached "Downtown Entertainment Center Redevelopment Agreement."

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,  
20 Nebraska:

21 1. That the attached Downtown Entertainment Center Redevelopment Agreement  
22 between the City of Lincoln and Center Associates, LLC for the development of the Downtown  
23 Entertainment Center in accordance with the terms and conditions contained in said Agreement,

1 is hereby approved and the Mayor is authorized to execute the same on behalf of the City of  
2 Lincoln.

3 2. The acquisition of certain real property described herein is found and determined  
4 to be necessary for the development of a downtown entertainment center as authorized by the  
5 Lincoln Center Redevelopment Plan; to wit: A portion of the City block generally located from  
6 11th to 12th and O to P streets, specifically including Lots 9 through 16, Block 41, Original Plat  
7 of the City of Lincoln, Lancaster County, Nebraska; including any rights, duties, privileges and  
8 obligations necessary or related thereto or arising under existing redevelopment agreements and  
9 the Nebraska Community Development Law.

10 3. The City Attorney is hereby directed to institute eminent domain proceedings for  
11 the acquisition of the necessary property in the event that negotiations for the acquisition of the  
12 same are not successful as provided by law.

13 4. The Finance Director is hereby authorized for purposes of the Project to transfer  
14 funds in the amount of \$145,000 from the Downtown Redevelopment Fund 425 to Street  
15 Construction Fund 541004.

16 5. Resolution No. A-81261, passed by the City Council on December 10, 2001, is  
17 hereby superceded and replaced in its entirety by the provisions of this Resolution.

18 The City Clerk is directed to return one fully executed copy of the Agreement to  
19 Center Associates, 1800 P Street, Lincoln, NE 68508 and on copy to the Urban Development  
20 Department.

Introduced by:

---

Approved as to Form & Legality:

---

City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

---

Mayor